

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CHERYL SAGATAW, DEANTHONY
BARNES, ROBERTA STRONG, and
TRAVIS NELOMS, *on behalf of
themselves and a class of
similarly-situated individuals,*

Civil Action No.
0:24-cv-00001-ECT/TNL

Plaintiffs,

vs.

**SECOND MOTION
FOR TEMPORARY
RESTRAINING ORDER**

MAYOR JACOB FREY, *in his
individual and official capacity,*

ORAL ARGUMENT REQUESTED

Defendant.

**EXPEDITED HANDLING
REQUESTED; BRIEFING
SCHEDULE PROPOSED BY
AGREEMENT OF BOTH PARTIES**

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1. Cheryl Sagataw, DeAnthony Barnes, Roberta Strong, and Travis Neloms, on behalf of themselves and on behalf of those similarly situated (“Plaintiffs”), by and through their undersigned attorneys, hereby move this Honorable Court, pursuant to Federal Rule of Civil Procedure 65, for entry of a Temporary Restraining Order. Plaintiffs seek to enjoin Defendant Jacob

Frey and his officials, employees, agents, assigns, and all those working in concert with Defendant from:


- a. Evicting, bulldozing, clearing, sweeping, dismantling, demobilizing, removing infrastructure, or ceasing services to Camp Nenookaasi, the encampment of unhoused individuals located between 11th and 12th Avenues on 28th Street, Minneapolis Minnesota.
 - b. Confiscating or destroying Plaintiff's property, including property shared by the Camp in common areas;
 - c. Entering individual residences at Camp Nenookaasi or otherwise searching the area outside of the common spaces without proper search warrants or consent of the resident whose yurt or tent has been entered.
2. Plaintiffs incorporate herein by reference the facts alleged in the accompanying Memorandum in Support of the Second Motion for Temporary Restraining Order; the previous Declarations submitted in these proceedings, Dkt. 5-10; the Declarations submitted on February 20, 2024 accompanying this motion; and the facts alleged in their Amended Class Action Complaint, Dkt. 30.

3. As the accompanying Memorandum outlines in detail, Plaintiffs have satisfied the four-part test and bring a matter to this Honorable Court warranting preliminary injunctive relief:
- a. Plaintiffs are likely to prevail on the merits of their constitutional and common law claims.
 - b. Plaintiffs will suffer irreparable harm, including significant risk of death, unless the requested injunctive relief is granted.
 - c. Granting the requested relief will not result in any foreseeable, serious harm to Defendant or the public.
 - d. Granting the requested relief is in the public interest.

WHEREFORE, Plaintiffs respectfully request that this Court issue a Temporary Restraining Order.

Respectfully submitted,

Date: February 20, 2024


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